

UNITED STATES DISTRICT COURT

for

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Sep 27, 2021

SEAN F. MCAVOY, CLERK

U.S.A. vs. Schmitz, Joseph Thomas Docket No. 0980 2:21CR00097-SMJ-1

Petition for Action on Conditions of Pretrial Release

COMES NOW Jonathan C. Bot, PRETRIAL SERVICES OFFICER, presenting an official report upon the conduct of defendant Joseph Thomas Schmitz, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge John T. Rodgers sitting in the court at Spokane, Washington, on the 30th day of July 2021, under the following conditions:

Additional Condition #22: Defendant shall not possess or access pornography in any form, electronic or otherwise. Defendant shall not access the internet, including but not limited to cell phones with internet access. Should Defendant obtain employment involving the use of computers or other digital devices, this condition may be revisited.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

(If short insert here; if lengthy write on separate sheet and attach.)

Violation #1: Mr. Schmitz is alleged to have violated his conditions of pretrial release supervision by having Internet access on or about September 21, 2021.

On July 30, 2021, a U.S. probation officer reviewed the conditions of pretrial release supervision with Mr. Schmitz. Mr. Schmitz acknowledged an understanding of the conditions, which included additional condition number 22.

On September 21, 2021, the undersigned officer met Mr. Schmitz at his residence for the purpose of a location monitoring (LM) equipment inspection. During that meeting, the undersigned officer observed an Xbox console in plain view, located in Mr. Schmitz' room. Mr. Schmitz stated he uses his Xbox to play video games. The undersigned officer inquired if Mr. Schmitz would turn on the Xbox, in which he obliged. Upon turning on the Xbox, the undersigned officer observed a YouTube TV application, in which Mr. Schmitz then admitted that he watches YouTube TV as he does not have cable television at the residence. Mr. Schmitz agreed and confirmed that Internet access is needed to utilize YouTube TV. Mr. Schmitz was again informed by the undersigned that per pretrial release additional condition number 22, he shall not have access to the Internet in any way. Mr. Schmitz apologized and agreed to remove the Xbox.

PRAYING THAT THE COURT WILL ORDER NO ACTION AT THIS TIME

I declare under the penalty of perjury
that the foregoing is true and correct.

Executed on: September 27, 2021

by s/Jonathan C. Bot

Jonathan C. Bot
U.S. Pretrial Services Officer

Re: Schmitz, Joseph Thomas

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THE COURT ORDERS

- ☒ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

September 27, 2021

Date